

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

-----§
Metropolitan Life Insurance Company, §
Plaintiff, §
v. §
Re: Breach of Contract §
Damages §
National Communications Systems, et al., §
Defendants. §
-----§

RECEIVED AND FILED
2003 MAY 15 AM 8:30
CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.

ORDER

This order disposes of three pending motions:

1. Plaintiff's Motion for Partial Voluntary Dismissal Against Co-Defendant John D'Angelo, dated April 9, 2003. The other defendants have failed to assert cross-claims against co-defendant John D'Angelo, and have failed to demonstrate that plain legal prejudice will result from his dismissal. Accordingly, the motion is granted and the claims against co-defendant John D'Angelo are voluntarily dismissed;
2. Co-defendant George Miller's Motion for Order Regarding Cross-Claim, dated April 24, 2003, seeks an order confirming co-defendants Jose Axtmayer's and Hans Hertell's commitment that they will not assert cross-claims against co-defendant George Miller. The motion is unopposed and is granted;
3. Plaintiff's Motion for Voluntary Dismissal of Action Against


21

252

Co-Defendant George Miller, dated April 30, 2003, is unopposed and is granted and the claims against co-defendant George Miller are voluntarily dismissed.

It is so Ordered.

At San Juan, Puerto Rico on May 13, 2003.



ROBERT J. WARD
United States District Judge